



**PROVINCE OF QUÉBEC
MRC DES LAURENTIDES
TOWN OF BARKMERE**

BYLAW NUMBER 270

REGULATIONS RELATING TO ALARM SYSTEMS

WHEREAS the council wishes to regulate the installation and operation of alarm systems on its territory, in order to ensure public safety and to remedy the problems caused by the high number of unnecessary alarms;

WHEREAS the municipality acts hereunder by virtue of the powers conferred on it under the terms of the *Municipal Powers Act* (CQLR, c. C-47.1) and more particularly under articles 62 and 65 of this law;

WHEREAS a notice of motion has been given and that a draft by-law has been tabled at the meeting of August 13th 2022, a copy of the draft by-law also being made available to the public at this meeting;

WHEREAS the mayor mentions that the purpose of this by-law is to regulate the installation and operation of alarm systems on the territory of the Town of Barkmere;

WHEREAS the mayor also mentions that the by-law presented for adoption does not include any modification compared to the draft by-law tabled at the council meeting of August 13th 2022;

FOR THESE REASONS, COUNCIL DECREES AS FOLLOWS:

1. DEFINITIONS AND SCOPE

1.1. Preamble and annexes

The preamble and all annexes attached to these regulations form an integral part thereof; all standards, obligations or indications found therein are also part of it as if they had been enacted therein.

1.2. Definitions

For the purposes of these rules, unless the context indicates a different meaning, the following terms and expressions mean:

- « *Unfounded alarm* » : means the activation of an alarm caused by a defect, malfunction or misuse, or due to atmospheric conditions, excessive vibration, power failure or negligence, in the absence of proof of commission or attempted offence, break-in, smoke or fire observed on the protected site and which results in the displacement of a member of the Sûreté du Québec.
- « *Protected place* » : means any land, construction or work located on the territory of the municipality and which is protected by an alarm system.
- « *Officer* » : means any physical person designated by the council, any employee of a legal person or a security agency under contract with the municipality or any member of the Sûreté du Québec responsible for the application of all or part of this regulation.
- « *Alarm system* » : means any device intended to detect automatically or to be triggered manually in order to prevent intrusions or attempted intrusions, or to prevent the presence of smoke or fire, whether or not it is connected to an alarm center.
- « *User* » : means any natural or legal person who owns or occupies a protected place.

1.3. Application

This by-law applies to any alarm system, including alarm systems already installed or in use on the day of entry into force of this document.

1.4. Accountability

For the purposes of the application of this regulation, the owner of a protected place is liable for the offenses of the user, of the persons who occupy the protected place or to whom he allows access.

2. GENERAL REQUIREMENTS

2.1. Compliant installation

Any alarm system must be installed in accordance with the installation standards established by the manufacturer and be maintained in good working order so that it does not cause unnecessary alarms to be triggered.

2.2. Maximum duration of beep

When an alarm system is equipped with a signal suitable for giving the alert outside the protected place, this system must be designed so as not to emit an audible signal for more than 10 consecutive minutes.

3. PERMIT (*Non Applicable*)

4. ALARM SIGNAL

4.1 Infringement Period

Constitutes an offense and renders the user liable to the fines provided for in these regulations, any triggering of an unfounded alarm beyond the first triggering of the system during a consecutive period of 12 months.

4.2 Presumption of unfounded alarms

In the absence of evidence to the contrary, there is a presumption of unfounded alarm following the triggering of an alarm caused by a defect, malfunction or misuse, or due to atmospheric conditions, excessive vibrations, power outages or negligence, in the absence of proof of commission, attempted offence, break-in, smoke or fire, observed by the official on the protected place.

4.3 Entry authorization

Any member of the Sûreté du Québec is authorized to enter any protected place if no one is there, for the purpose of interrupting the sound signal which has been on for more than 20 consecutive minutes.

4.4 Pricing and Fees

The municipality is authorized to claim from any user of an alarm system the costs incurred for the purpose of entering the protected place in order to interrupt the sound signal; such costs being provided for in the Tariff Regulation in force.

5. PENAL PROVISIONS

5.1 Traffic ticket

Any violation of this by-law constitutes an offense and is prohibited.

5.2 Fine

Any physical person who contravenes any of the provisions of this by-law commits an offense and is liable to a minimum fine of \$200 and a maximum of \$1,000 for a first offense and a minimum fine of \$400 \$ and a maximum of \$2,000 for any subsequent offence.

Any legal person who contravenes any of the provisions of this by-law commits an offense and is liable to a minimum fine of \$400 and a maximum of \$2,000 for a first offense and a minimum fine of \$800 \$ and a maximum of \$4,000 for any subsequent offence.

In all cases, prosecution costs are extra.

The time limits for the payment of fines and costs imposed under this article and the consequences of failure to pay said fines and costs within the prescribed time limits are established in accordance with the Code of Penal Procedure of Quebec (CQLR, c. C-25.1).

If an offense lasts more than one day, the offense committed on each of the days constitutes a separate offense and the penalties enacted for each of the offenses may be imposed for each day that the offense lasts.

5.3 Authorization

The council generally authorizes any officer to undertake penal proceedings against any contravener of any provision of this by-law and authorizes him, consequently, to issue the statements of offense useful for this purpose.

For the purpose of enforcing the provisions of this by-law, the municipality may exercise, cumulatively or alternatively, all appropriate remedies of a civil or penal nature, without limitation.

6. FINAL PROVISIONS

6.1. Repeal

This by-law repeals and replaces by-law number 134 and its amendments.

The replacement of the former provisions by this by-law does not affect the proceedings instituted under the authority of the by-laws thus replaced, nor any offense for which proceedings have not yet been instituted, which will continue under the authority of the said by-laws. replaced until final judgment and execution.

6.2. Coming into effect

These rules come into force in accordance with the law.

(original signed) Luc Trépanier
Luc Trépanier, Mayor

(original signed) Martin Paul Gélinas
Martin Paul Gélinas,
Secretary Treasurer

Entry into force procedure	
Notice of motion	August 13th 2022
Adoption of the by-law	September 10 th 2022
Coming into effect	September 13 th 2022

Certified copy
This September 13th 2022



Martin Paul Gélinas, secretary treasurer